




# **Enforcement Overview and Presentation**

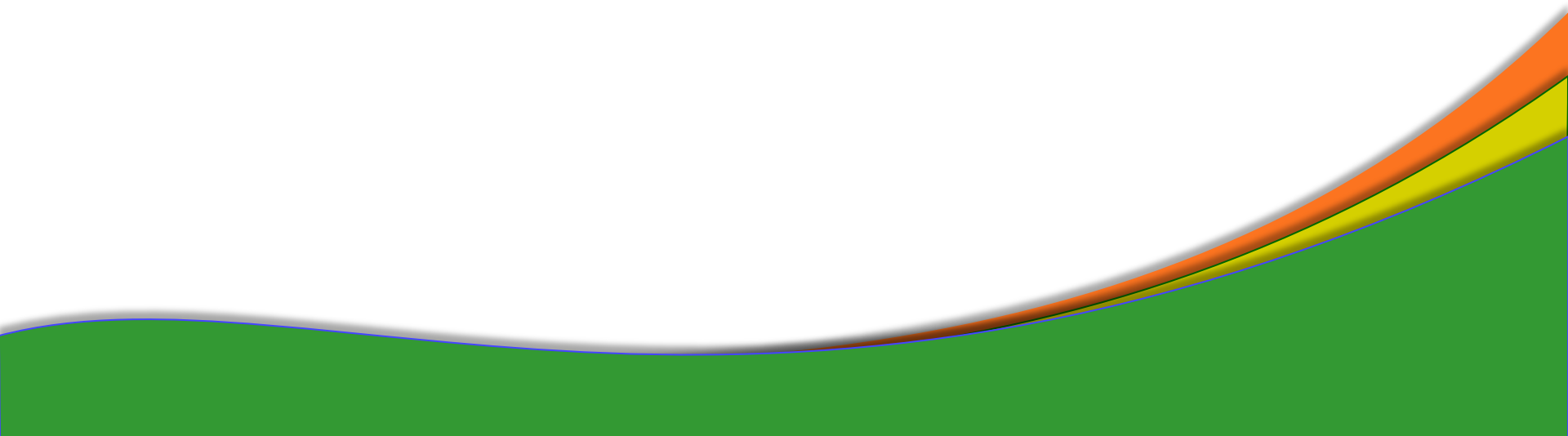
May 2016

# **Enforcement Overview**

- **Complaint process**
  - **Expert reviews**
  - **Investigation process**
  - **Citation and Fines**
  - **Disciplinary process**
  - **Roles and responsibilities of HQE and DCA**
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- A decorative graphic at the bottom of the slide consisting of a green wavy line representing a horizon or ground, with a yellow and orange curved shape rising from the right side, resembling a stylized hill or a rising sun.

# Complaint Process

- **Who does the Board license/register?**
  - ✓ Psychologists
  - ✓ Registered psychologists
  - ✓ Psychological Assistants



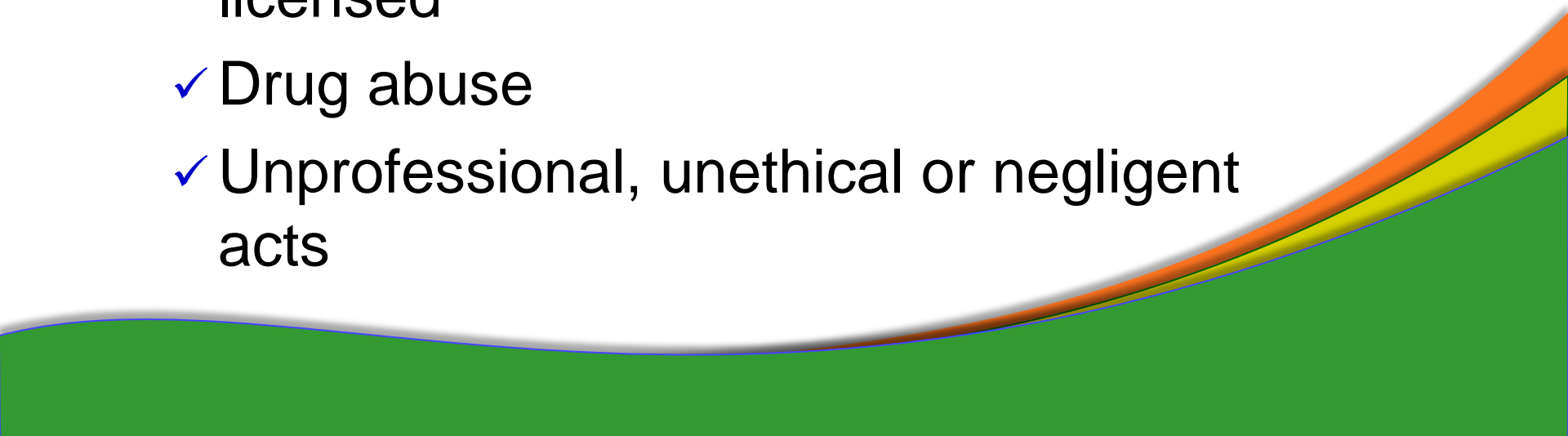
# Complaint Process

## ➤ Who may file a complaint?

✓ Anyone

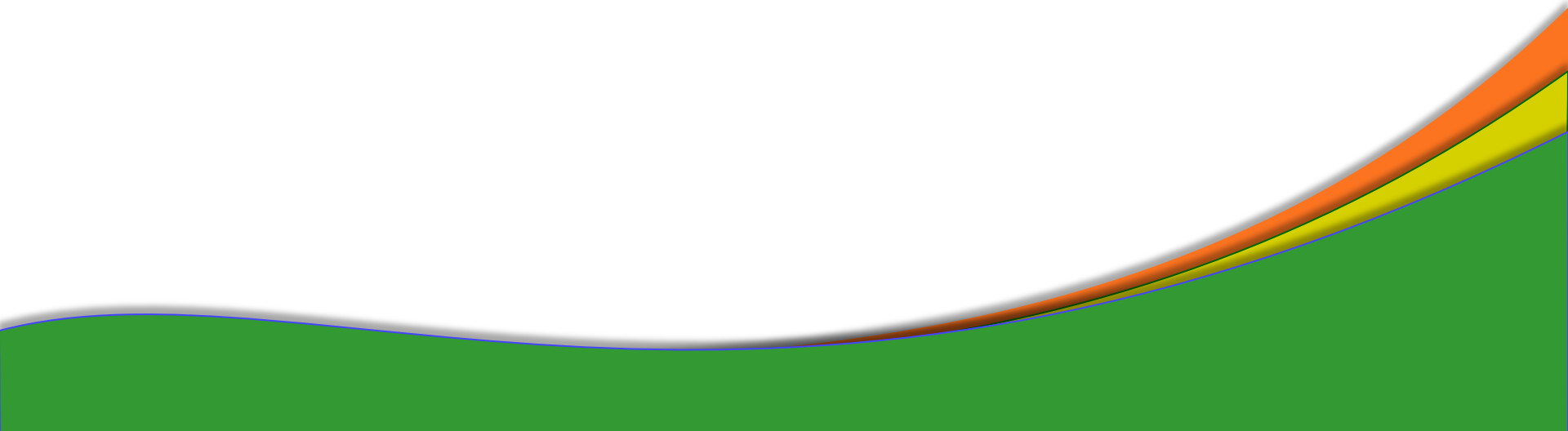


# Complaint Process

- **What are the most common types of complaints the Board receives?**
    - ✓ Sexual misconduct with a patient
    - ✓ Violating the patient's confidentiality
    - ✓ Providing services for which the individual has not been trained or licensed
    - ✓ Drug abuse
    - ✓ Unprofessional, unethical or negligent acts
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# Complaint Process

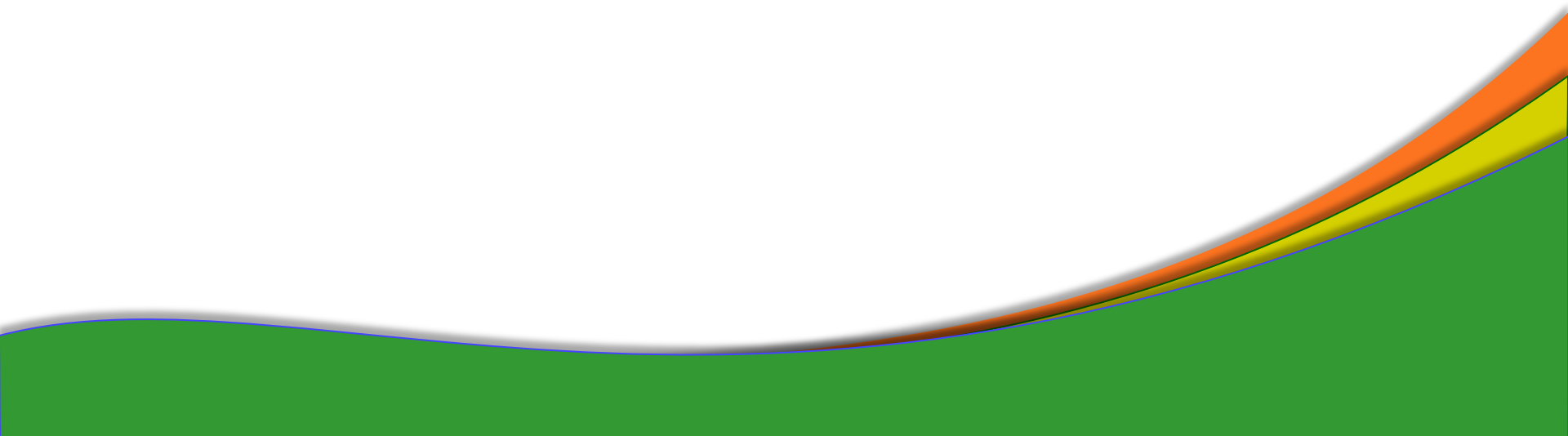
- **What types of complaints are outside the Board's jurisdiction?**
  - ✓ Fee or billing disputes
  - ✓ Personality conflicts
  - ✓ Persons who are licensed by other Boards



# Complaint Process

## ➤ How are complaints filed?

- ✓ On-line
- ✓ By mail



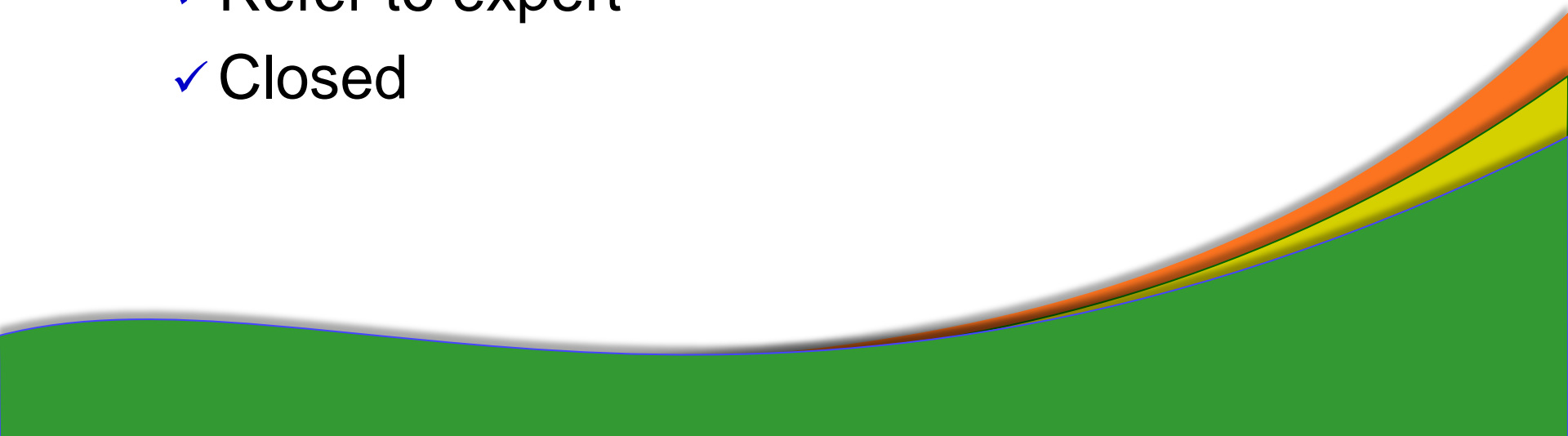
# Complaint Process

## ➤ What happens when a complaint is filed?

- ✓ Complainant is notified with 10 days
- ✓ Enforcement analyst assigned
- ✓ Desk investigation initiated

## ➤ Complaint Outcomes

- ✓ Refer to expert
- ✓ Closed



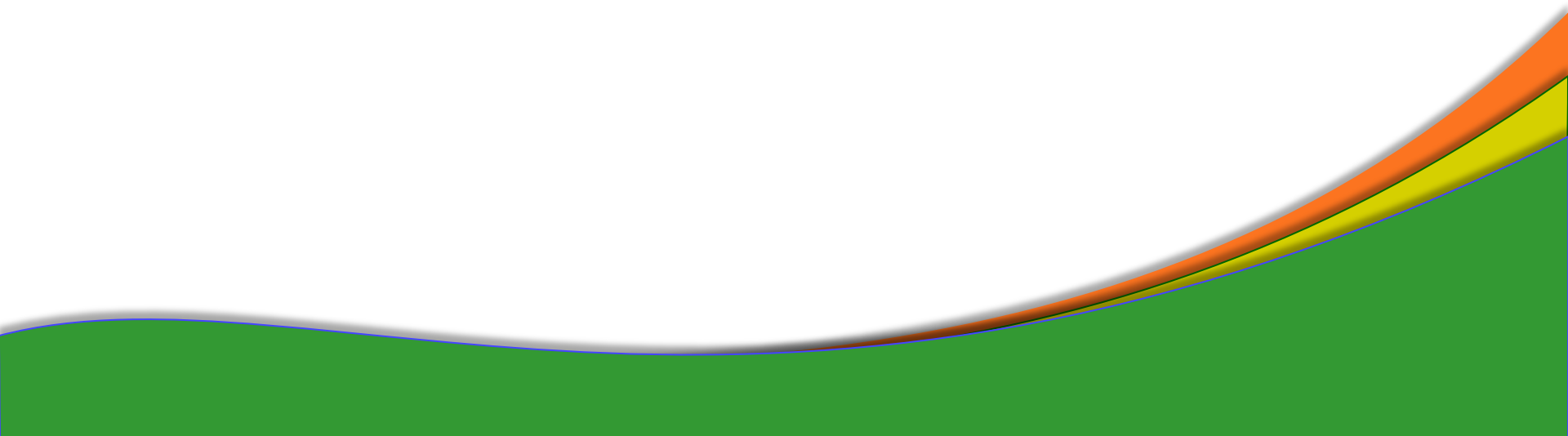


# Expert Review

- **If a case is referred to an expert, what next?**
  - ✓ Expert opines on case within 30 days
  - ✓ Board staff reviews Expert's findings
  - ✓ Possible Outcomes
    - Outcome A-Closed
    - Outcome B-Educational letter
    - Outcome C-citation issued
    - Outcome D-Refer to HQIU for formal investigation

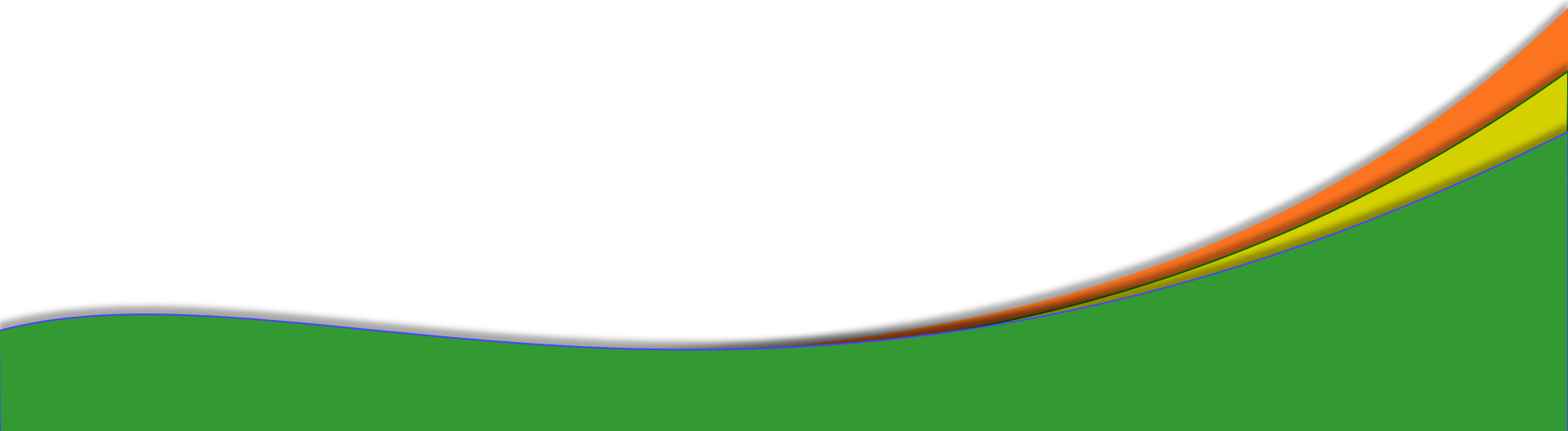
# Outcome A-Closed

- **Why is a case closed with no action?**
  - ✓ No violation found



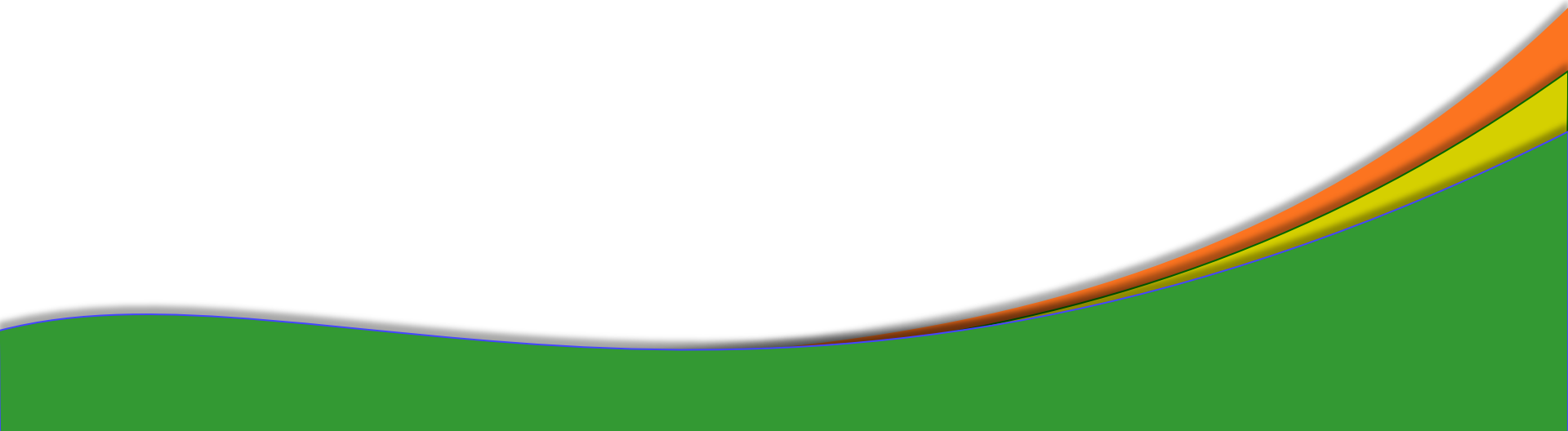
# Outcome B-Educational Letter

- **Why is an educational letter issued?**
  - ✓ Minor violations alleged
  - ✓ No patient harm



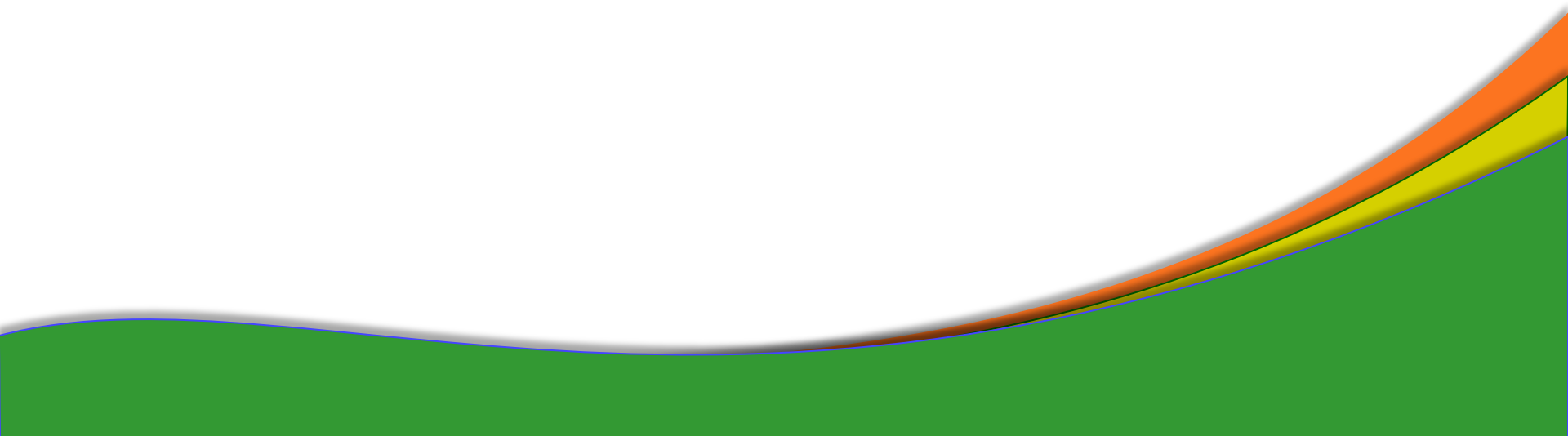
# Outcome C-Citation and Fine

- **Why is a citation issued?**
  - ✓ Minor violations are found
  - ✓ An Educational Letter has already been issued
  - ✓ Unlicensed practice is discovered



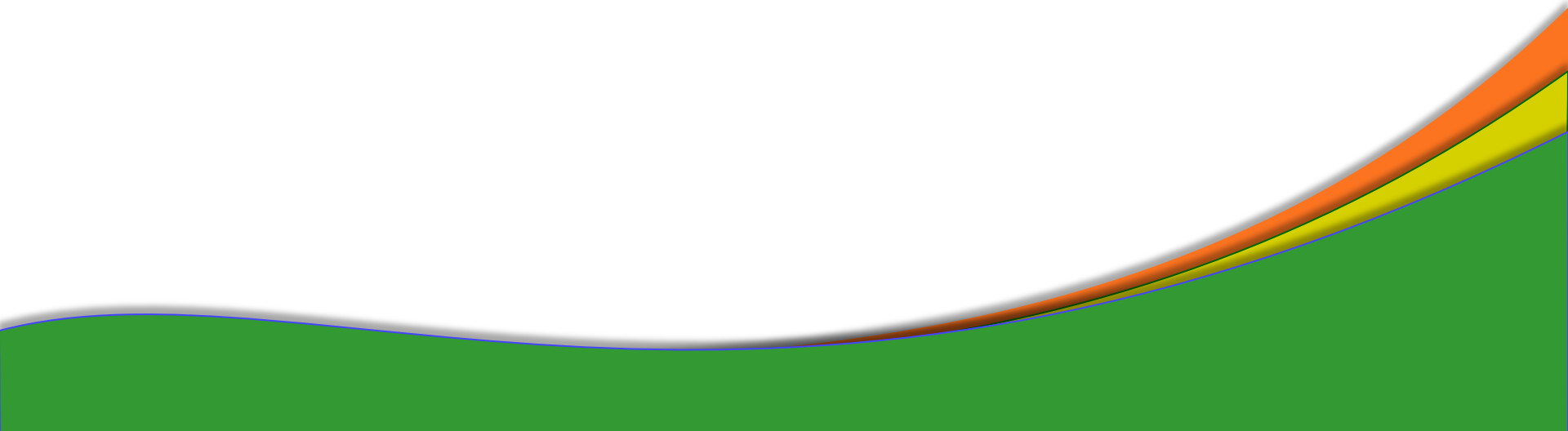
# **Outcome D-Refer case to Health Quality Investigation Unit (HQIU)**

- **Why would a case be referred to HQIU?**
  - ✓ If a serious violation is found by expert



# Investigation Process

- **Two types of investigations**
  - ✓ Desk and Formal



# Investigation Process

## ➤ Desk Investigations

- ✓ Performed by an Enforcement Analyst (EA) or Special Investigator (SI)
- ✓ EA or SI determines if:
  - Complaint falls within Board's jurisdiction
  - Complaint involves care provided by licensee
  - A minor violation occurred
  - A serious violation occurred

# Investigation Process

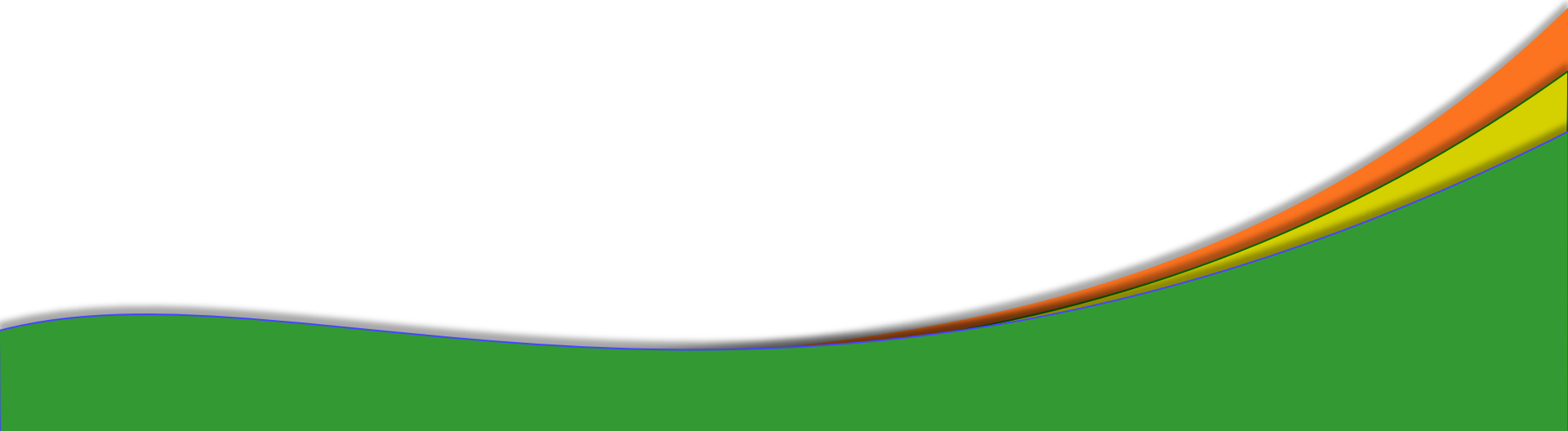
## ➤ Formal Investigations

- ✓ Performed by peace officers
- ✓ Upon completion of the investigation the case may be:
  - Closed
  - Referred to the Attorney General's Office
  - Referred to the local District Attorney's Office



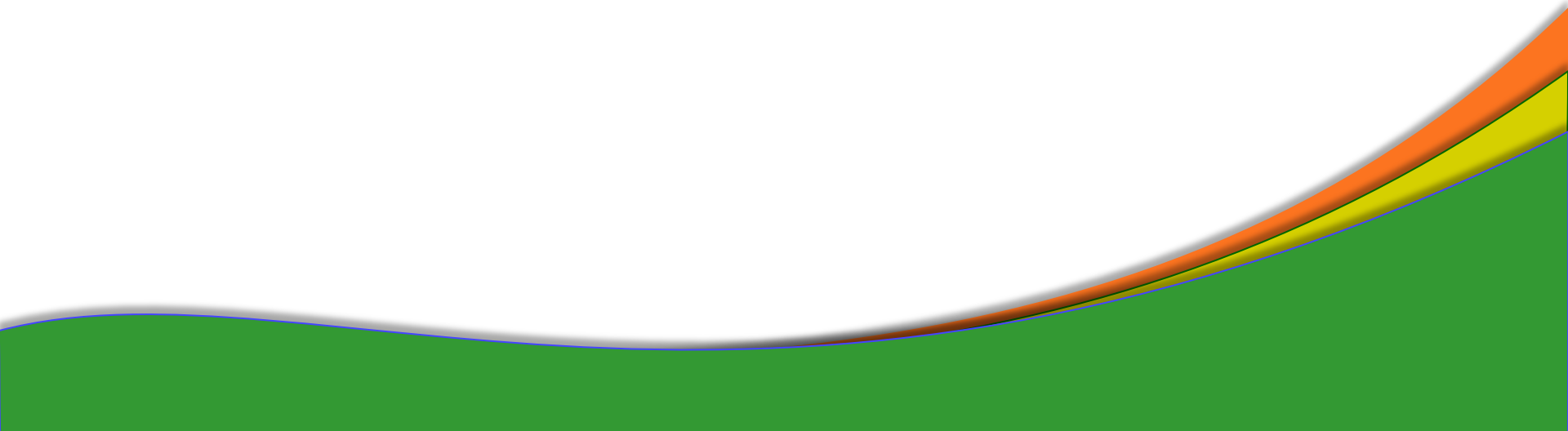
# Citation and Fines

- **Issued for minor violations that do not warrant formal disciplinary actions**



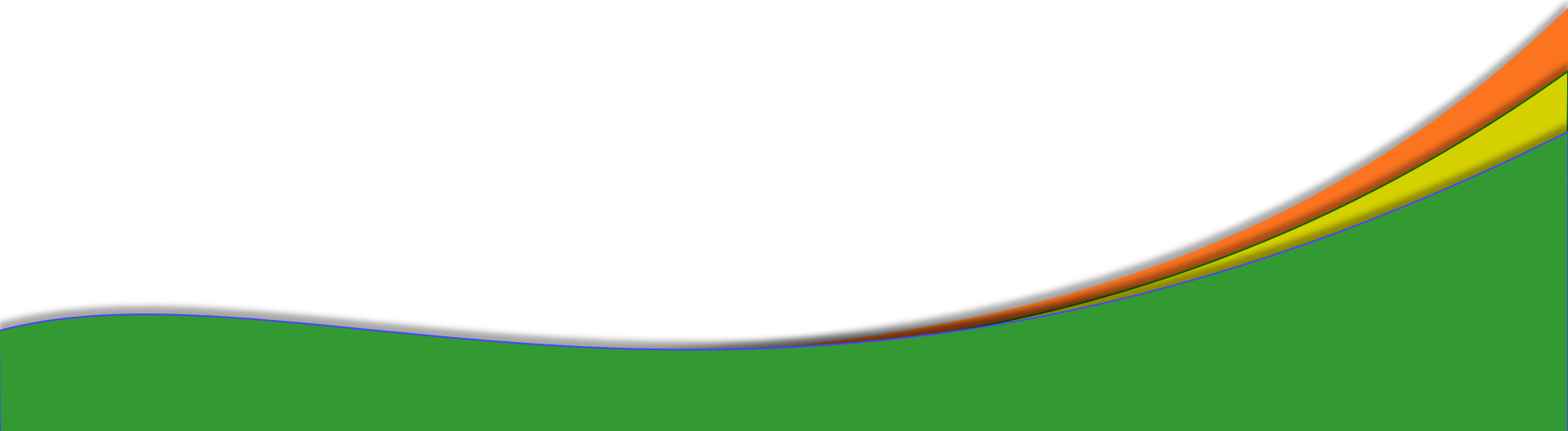
# Disciplinary Process

- **What happens during the Discipline Process**
  - ✓ Attorney General determines if action should be initiated by filing an:
    - Accusation
    - Statement of Issues



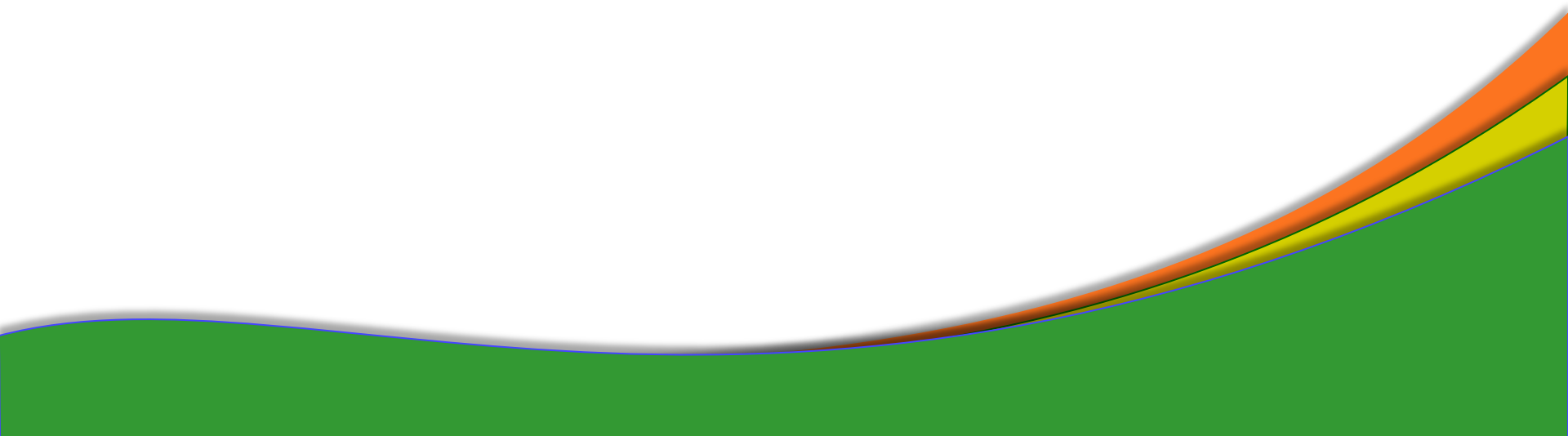
# Disciplinary Process

- **Administrative Hearing /Stipulated Settlement**
- **Board Vote**



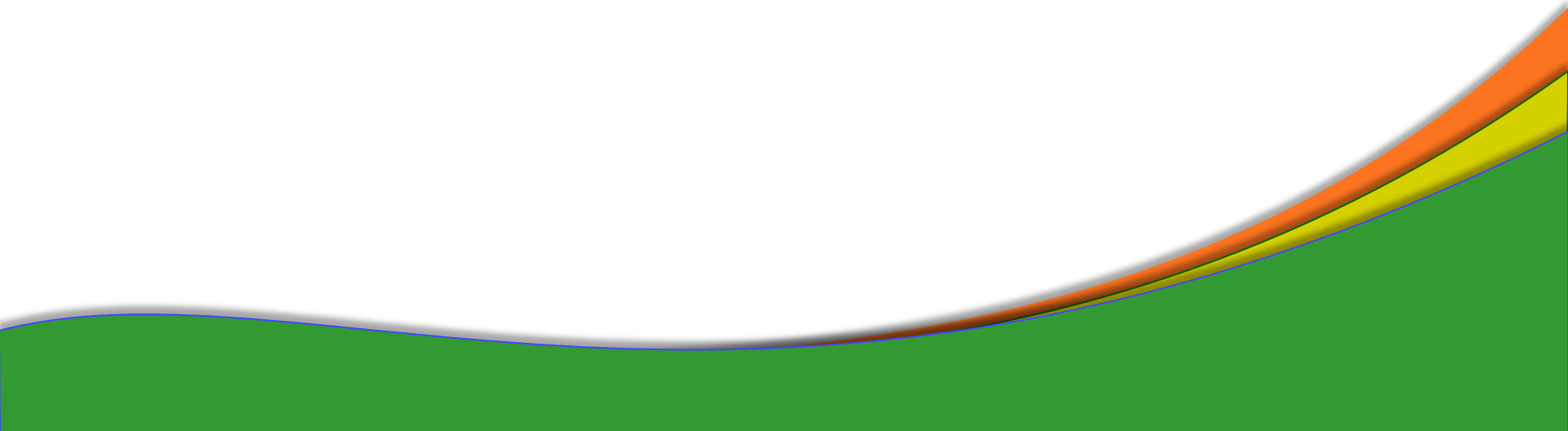
# **Role of HQE in the Disciplinary Process**

- **HQE's role and responsibilities**



# **Role of DCA in the Disciplinary Process**

- **DCA's role and responsibilities**



# **Any Questions?**

